



Dale E. Barney
Director

Gibbons P.C.
One Gateway Center
Newark, NJ 07102-5310
Direct: 973-596-4557 Fax: 973-639-6234
dbarney@gibbonslaw.com

VIA ECF

September 28, 2021

Honorable Claire C. Cecchi, USDJ
United States District Court
Martin Luther King Jr. Courthouse
50 Walnut Street
Newark NJ 07102

RE: Discover Growth Fund, LLC v. Fiorino, et al.,
Civil Action No. 2:20-cv-00351 (CCC)(AME)

Immune Pharmaceuticals, Inc. v. Discover Growth Fund, LLC,
Civil Action No. 2:20-cv-3375 (CCC)(AME) (Motion to Withdraw Reference)

Lester v. Discover Growth Fund, LLC,
Civil Action No. 2:20-cv-9469 (CCC)(AME) (On appeal)

In re Immune Pharmaceuticals, Inc.,
Civil Action No. 2:20-cv-12247 (CCC)(AME) (On Appeal)

Dear Judge Cecchi:

We are counsel to Discover Growth Fund, LLC, a party to each of the captioned civil actions ("Actions"). By a "30 Day Order Administratively Terminating Action" ("Orders") entered on August 30, 2021 in each of the Actions, Your Honor ordered that, by September 29, 2021, the parties submit dismissal pleadings in each Action, or request that the Actions be reopened. The parties are working diligently on finalizing the global settlement of these matters and the motion seeking the approval of the United States Bankruptcy Court in the underlying bankruptcy cases of Immune Pharmaceuticals, Inc. and affiliates, Case No. 19-13273 (AFP) as described in my letter to Your Honor of July 16, 2021.

However, the settlement has not yet been consummated, and the parties seek to have the Court administratively reopen the Actions pursuant to the provisions of the Orders. All counsel consent to this request. Accordingly, please consider this as the request to reopen each of the Actions as contemplated by the Orders. If Your Honor prefers that we submit formal orders reopening the Actions, please have Chambers so advise.

GIBBONS P.C.

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As always, we appreciate the Court's time and attention to this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. Barney', with a stylized flourish at the end.

Dale E. Barney
Director

Cc: Hon. Vincent F. Papalia, USBJ (via email)
Hon. Andre M. Espinosa, USMJ (via ECF)
John E. Jureller, Jr., Esq. (via email and ECF)
Jonathan I. Rabinowitz, Esq. (via email and ECF)